GOVERNMNET OF ANDHRA PRADESH
ABSTRACT

Public Services – Guntur District – Dachepalli (M) – Blast occurred on 16.11.2009 at 9.30 A.M. in residential house of Narayanauram H/o Nadikudi – Disciplinary proceedings under APCS(CC&A) Rules, 1991 initiated against Revenue and Panchayatraj officials – Certain officials kept under suspension – disciplinary action against some of the delinquent officials concluded – One delinquent official died and two others retired from service – Report submitted - Abatement of proceedings against the deceased – and Dropping further action – Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.217 **Dated:12.02.2020**

Read the following:

1. From the Collector & District Magistrate, Rc.No.ASEC0DIS(AOC)/4/2019-SA(A4)-COLGNT, Dt:04.06.2019.
2. From CCLA & Spl.CS, AP, Vijayawada, CCLA's Lr.NO.VSI(1)/1941/2010, dated 11.07.2019.

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ORDER:

Whereas, in the reference 2nd read above, it has been brought to the notice of Govt that the Joint Collector, Guntur has submitted a preliminary report Dt:23.11.2009 on the blast occurred on 16.11.2009 at Narayanapuram H/o Nadikudi Village, Dachepalli Mandal in which 8 persons were died and concluded that the local police, Revenue Authorities (Tahsildar, VRO,Village Servants) and Panchayat Secretary have failed to take necessary action to stop unauthorized sale of explosive material in residential and unauthorized premises. Based on the preliminary report of the Joint Collector, Guntur, the following individuals were kept under suspension vide the collectors proceedings Rc.No.4075/09-A4, Dt:27.11.2009.

i) Sri J.Parthasarathi, former Tahsildar, Dachepalli now working as SDC
ii) Sri T.Ch.Venkateswarlu, former VRO, Nadikudi (now retired)
iii)Sri Shaik Kamal Saheb, former Panchayat Secretary, Nadikudi (now died)
iv)Sri Shaik Bude Saheb, VRA, Nadkudi (V), Dachepalli (M).
v) Sri Syed Hasan, former VRA, Nadkudi (V), Dachepalli (M) now working as VRO, Macherla-I, Macherla Mandal.

2. And whereas, Articles of Charge under Rule 20 of the APCS(CC & A) Rules, 1991 framed against the individuals at Sl.No.i), ii) & iii) vide Collectors proceedings.No. Rc.No.4075/09-A4, Dt:11.02.2009 and charge memos were issued to the individuals at Sl.No. iv) and v) vide Rc.No.4075/09-A4, Dt:11.02.2009. The individuals at Sl.No.iii) to v) were reinstated into service on the strength of Hon'ble A.P.A.T. Orders. Further, the Joint Collector, Guntur has submitted a Magisterial Enquiry report Dt:29.01.2010 on the said blasting incident and recommended to take action against the employees working in different departments. Accordingly, disciplinary action has been initiated against the following officials by framing articles of charges under Rule 20 of the APCS (CC & A) Rules, 1991 vide Collectors proceedings Rc.No.4075/09-A4, DT:28.01.2010.

a) Sri M.Dhanunjaya, former Tahsildar, Dachepalli Mandal now working as Deputy Collector
b) Sri P.Lakshminaryana, former Mandal Revenue Inspector, Dachepalli Mandal now working as Dy.Tahsildar, O/o Tahsildar, Dachepalli
c) Sri A.Ramana Reddy, formerly Village Revenue Officer, Nadikudi village(Now retired)

3. And whereas, the individuals have submitted their explanation except the two VRAs i.e., Sri Shaik Bude Saheb, VRA, Nadkudi (V), Dachepalli (M) and Sri Syed Hasan,

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former VRA, Nadkudi (V), Dachepalli (M) (Sl.No.iv & v) and the Panchayat Secretary Sri Shaik Kamal Saheb, former Panchayat Secretary, Nadikudi (Sl.No.iii). After perusing the explanations the disciplinary case was concluded in respect of the following officials, duly exonerated them from the charges framed against them.

i) Sri M.Dhanunjaya, former Tahsildar, Dachepalli Mandal now working as Deputy Collector
ii) Sri J.Parthasarathi, forme Tahsildar, Dachepalli now working as SDC
iii) Sri P.Lakshminaryana, former Mandal Revenue Inspector, Dachepalli Mandal now working as Dy.Tahsildar, O/o Tahsildar, Dachepalli

4. And whereas, the Chief Commissioner of Land Administration has stated that further action is pending against the following individuals for conclusion of disciplinary proceedings.

i) Sri T.Ch.Venkateswarlu, former VRO, Nadikudi (now retired)
ii) Sri A.Ramana Reddy, former Village Revenue Officer, Nadikudi village (Now retired) iii) Sri Shaik Kamal Saheb, former Panchayat Secretary, Nadikudi (now died)
iv) Sri Shaik Bude Saheb, VRA, Nadikudi (V), Dachepalli (M)
v) Sri Syed Hasan, former VRA, Nadikudi (V), Dachepalli (M) now working as VRO, Macherala-I, Macheral Mandal

Out of the above 5 delinquent officers for whom the disciplinary proceedings are not concluded, one namely Sri Kamal Saheb, former Panchyat Secretary, Nadikudi Village, Dachepalli Mandal was expired on 08.03.2016. Out of remaining 4 employees two employees namely 1) Sri T.Ch.Venkateswarlu, former VRO, Nadikudi, Dachepalli (M), and 2) Sri A.Ramana Reddy, former VRO, Nadikudi Dachepalli (M) were retired from service and the disciplinary proceedings are to be concluded by the Government under A.P.Revised Pension Rules, 1980 and disciplinary proceedings with regard to 1) Sri Shaik Bude saheb, VRA, Nadkudi (V), Dachepalli (M) 2) Sri Syed Hasan, formet VRA, Nadkudi (V), Dachepalli (M) now working as VRO, Macherla-I, Macherla Mandal are to be concluded by the District Collector being the appointing authority.

5. The Chief Commissioner of Land Administration, A.P., Vijayawada, has therefore, requested the Govt., to abate the charges framed against the deceased employee namely Sri. Kamal Saheb, former Panchayat Secretary, Nadikudi Village, Dachepalli Mandal and to conclude the disciplinary proceedings against the two retired employees and two working employees, since the Government are alone competent to concluding action against the retired government Servant under Rule.9 of A.P.R.P. Rules, 1980 r/w Rule 20 of APCS(CC&A) Rules, 1991.

6. Government after careful examination of the matter, and after perusal of available record, it is observed that Blast occurred in residential house of Narayanauram H/o Nadikudi at 9.30 A.M on 16.11.2009. Immediately, the District Collector, Guntur initiated disciplinary proceedings under APCS(CC&A) Rules, 1991 against Revenue and Panchayatraj officials. Subsequently action was dropped against Sri M.Dhanunjaya, Tahsildar; Sri J.Pardhasaradhi, Tahsildar and Sri P.Laxminarayana, Mandal Revenue Inspector vide Collector proceedings date 28- 10-2010. Further observed that the disciplinary proceedings are still pending against Sri T.Ch.Venkateswarlu, VRO (Retired on 31-12-2009), Sri A.Ramana Reddy, formerly Village Revenue Officer, Nadikudi (retired), Sri Shaik Kamal Saheb, former Panchayat Secretary (Retd 31-10-2013 later died on 08-03-2016); Sri Shaik Bude Saheb, VRA, Nadikudi and Sri Syed Hasan, former VRA, Nadkudi. The District Collector, Guntur has not taken further course of action under Rule 20 of APCS(CC&A) Rules1991. Now the District Collector, Guntur District has submitted that it is desirable to conduct common enquiry by appointing Inquiry Officer under Rule 20 of APCS(CC&A) Rules, 1991. Similarly the CCLA has requested the Government to conclude the disciplinary

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proceedings against the two retired employees and two working employees, since the Government are alone competent to concluding action against the retired government Servant under Rule.9 of A.P.R.P. Rules, 1980. It is observed that as there is inordinate delay occurred in this case for 10 years, it is not appropriate to conduct common enquiry against the remaining employees since charges framed in December 2009/May 2010. If conducts enquiry, it is not tenable in a court of law as per case law P.V.Mahadevan vs MD Tamilnadu Housing Board the Supreme Court held that delay in completing the enquiry vitiates enquiry.

7. In view of the circumstances stated above, Govt. have decided to drop further action against Sri T.Ch.Venkateswarlu, VRO (retd), Sri A.Ramana Reddy, formerly VRO, Nadikudi (retired), Sri Shaik Bude Saheb, VRA, Nadikudi and Sri Syed Hasan, former VRA, Nadkudi and to abate further action against deceased employee Sri Shaik Kamal Saheb, former Panchayat Secretary, Nadikudi village who retired on 31-10-2013 and later died on 08-03-2016.

8. Government after careful examination of the matter hereby order to drop further action against Sri T.Ch.Venkateswarlu, VRO (retd), Sri A.Ramana Reddy, formerly VRO, Nadikudi (retired), Sri Shaik Bude Saheb, VRA, Nadikudi and Sri Syed Hasan, former VRA, Nadkudi and abate further action against deceased employee Sri Shaik Kamal Saheb, former Panchayat Secretary, Nadikudi village who retired on 31-10-2013 and later died on 08-03-2016.

9. The Chief Commissioner of Land Administration, A.P., Vijayawada/the Collector & District Magistrate, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

To:
Sri T.Ch.Venkateswarlu, VRO (retd).
Sri A.Ramana Reddy, formerly VRO, Nadikudi (retired).
Sri Shaik Bude Saheb, VRA, Nadikudi .
Sri Syed Hasan, former VRA, Nadkudi.
Sri Shaik Kamal Saheb, former Panchayat Secretary, Nadikudi village. (through the CCLA, AP., Vijayawada).
The CCLA, A.P., Vijayawada.
The District Collector, Guntur.
Sf/Sc

//FORWARDED::BY ORDER//

SECTION OFFICER